

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

April 23, 2008

DIVISION ONE

Court convened at 9:00 a.m.

Present: Vogel (Miriam A.), Acting P.J., Rothschild, J., Jackson, J. (Assigned) and P. Gonzalez, Deputy Clerk.

Each of the following:

B195889 Bush v. Vernon Convalescent
B199465 Wong v. Wong

Matters continued to May 21, 2008.

B188118 Dousette v. Cafe Concepts

Matter continued to June 25, 2008.

B197198 Elveta L. Francis et al.
 v.
 State of California et al.

Merits:

Argued by Barrett S. Litt for appellants; by Paul J. Coony, Deputy Attorney General for respondent State of California et al., and by Hartford O. Brown for respondent Volunteers of America etc. Cause submitted.

DIVISION ONE (continued)

B200231 Jim Leung

v.

Millenium Biltmore Hotel

Merits:

Argued by Clifford Sethness for respondent and appearance waived by appellant. Cause submitted.

B193845 Joseph C. Addison

v.

County of Los Angeles

Merits:

Argued by Calvin R. House for respondent and argument waived by Odion L. Okojie for appellant. Cause submitted.

B198533 Stephen A. Rodriquez et al.

v.

Bank of the West et al.

Merits:

Argued by John A. Girardi for appellant and by James T. Reed, Jr. for respondents. Cause submitted.

B195000 Peter Chao

v.

Tulin Parlar Shannon et al.

Merits:

Argued by Joel F. Tamaraz for appellant and by Douglas Caiafa for respondents. Cause submitted.

DIVISION ONE (continued)

B198440 Casden Park La Brea Retail LLC

V.

Ross Dress for Less, Inc.

Merits:

Argued by Steven A. Nissen for respondent and by Glenn P. Zwang for appellant. Cause submitted.

Court adjourned.

B195748 Roth (Not for Publication)

V.

California Coastal Commission et al.

The judgment is affirmed, respondents are awarded their costs of appeal, and the stay granted in response to the supersedeas proceeding shall dissolve on the day this opinion becomes final.

Vogel (Miriam A.), Acting P.J.

We concur: Rothschild, J.

Jackson, J. (Assigned)

B189878 People (Not for Publication)

V.

Braggs

The judgment is affirmed.

Vogel (Miriam A.), Acting P.J.

We concur: Rothschild, J.

Jackson, J. (Assigned)

April 23, 2008 (Continued)

DIVISION ONE (continued)

[illegible]

The judgment is affirmed.

Vogel (Miriam A.), Acting P.J.

We concur: Rothschild, J.
Jackson, J. (Assigned)

B197281 Parvizian (Not for Publication)
v.
Parvizian

The judgment is affirmed. Malak Parvisian is awarded her costs of appeal.

Vogel (Miriam A.), Acting P.J.

We concur: Rothschild, J.
Jackson, J. (Assigned)

B201135 Los Angeles County, D.C.S.
v.
Steven L.
Robert L., et al.

Filed order denying petition for rehearing.

April 23, 2008 (Continued)

DIVISION TWO

[illegible]

The judgment is affirmed.

Ashmann-Gerst, J.

We concur: Doi Todd, Acting P.J.
Chavez, J.

[illegible]

The Court:

The order appealed from is affirmed.

Doi Todd, Acting P.J., Ashmann-Gerst, J., Chavez, J.

DIVISION THREE

B196602 Ungar et al. (Not for Publication)
v.
Skinner Swim Pool Plastering, Inc., et al.

The judgment is reversed with directions to reinstate the action. The post judgment order re attorney fees and costs is vacated. The Ungars shall recover their costs on appeal.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

April 23, 2008 (Continued)

DIVISION THREE(continued)

B201977 People (Not for Publication)

V.
Christopher Buckles

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B193955 Soka University of America (Not for Publication)

v.
County of Los Angeles and State Board of Equalization

The judgment is reversed and the matter is remanded to the trial court for such further proceedings as may be appropriate and not inconsistent with the views expressed herein. The parties are to bear their own costs on appeal.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

DIVISION FOUR

B198134 Mink et al. (Not for Publication)

V.
Shefi et al.

The judgment is affirmed. Respondent(s) to recover costs.

Manella, J.

We concur: Epstein, P.J.
Suzukawa, J.

April 23, 2008 (Continued)

DIVISION FOUR (continued)

B198405 Martin (Not for Publication)

V.
Martin

The appeal is dismissed. Respondent is awarded her costs on appeal.

Suzukawa, J.

We concur: Willhite, Acting P.J.
Manella, J.

DIVISION SEVEN

B197703 Wagner (Certified for Publication)

v.
Wagner

The probate court's orders are affirmed. Kent Wagner is to recover his costs on appeal.

Perluss, P.J.

We concur: Woods, J.
Zelon, J.

B195003 Erde (Not for Publication)

V.
Bodnar

The judgment is affirmed. Each party to bear their own costs.

Wiley, J. (Assigned)

We concur: Woods, Acting P.J.
Zelon, J.

DIVISION SEVEN (continued)

B204061 Little Company of Mary Hospital et al., (Certified for Publication)
v.
Superior Court, Los Angeles County (Marin, r.p.i.)

The petition is granted. A peremptory writ of mandate shall issue directing respondent superior court to vacate its order of October 11, 2007 denying Little Company of Mary's motion to strike the punitive damage claim on the ground section 425.14 is not applicable in this elder abuse case action and to conduct further proceedings not inconsistent with this opinion. Little Company of Mary is to recover its costs in this proceeding.

Perluss, P.J.

We concur: Woods, J.
Zelon, J.

DIVISION EIGHT

B184420 People (Not for Publication)
v.
Sims

Appellant's sentence is reversed only with respect to the trial court's failure to pronounce sentence on count 13; to impose a second five-year prior serious felony enhancement; and to impose a \$20 court security fee as to each of his 10 convictions. The matter is remanded with directions to sentence appellant on count 13; impose a second five-year prior serious felony enhancement; to impose \$20 court security fee for each of appellant's convictions; and to conduct further proceedings not inconsistent with the views expressed in this opinion. In all other respects, the judgment is affirmed.

Cooper, P.J.

We concur: Rubin, J.
Egerton, J. (Assigned)

DIVISION EIGHT (continued)

B197845 People (Not for Publication)
v.
Livingston

The judgment is affirmed.

Cooper, P.J.

We concur: Flier, J.
Egerton, J. (Assigned)

B196173 Jewell, (Not for Publication)
v.
Blonde, Inc.,

The order denying class certification is affirmed. The stay of trial previously ordered is dissolved. Each party to bear her or its own costs on appeal.

Cooper, P.J.

We concur: Rubin, J.
Flier, J.

B195711 People (Not for Publication)
v.
Ronnie Serut Torres

The judgment is affirmed. We direct the clerk of this court to serve a copy of this opinion on the State Bar immediately after the issuance of the remittitur.

Cooper, P.J.

We concur: Flier, J.
Egerton, J. (Assigned)

DIVISION EIGHT (continued)

B194066 Raudel Rogriguez (Certified for Publication)
 v.
 Blue Cross of California et al.,

The order denying Blue Cross's petition to compel arbitration is affirmed.
Respondent is entitled to costs on appeal.

Cooper, P.J.

We concur: Rubin, J.
 Flier, J.

B202895 People (Not for Publication)
 v.
 Afano Segi

The appeal is dismissed.

Egerton, J. (Assigned)

We concur: Rubin, Acting P.J.
 Flier, J.

B198837 Los Angeles County, D.C.S.
 v.
 Sasha R., Theresa M.,

Filed order denying petitions for rehearing filed by Sasha R. and
Theresa M.